



#7
10302
DOW

PATENT
ATTORNEY DOCKET NO. 01704276

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TERRY PAUL DREES
KENNETH JOHN LAURENCE
KEVIN FRANCIS O'BRIEN

Serial No.: 09/767,556

Filing Date: January 22, 2001

For: DECORATIVE LAMINATE
ASSEMBLY AND METHOD OF
PRODUCING SAME

) Group Art Unit: 1771

) Examiner: Lynda M. Salvatore

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"

) "Express Mail" mailing label number EV113369004US

) Date of Deposit: September 27, 2002

) I hereby certify that this paper or fee is being deposited with
) the U.S. Postal Service "Express Mail Post Office to
) addressee" under 37 CFR 1.10 on the date indicated above and
) is addressed to: Assistant Commissioner for Patents,
) Washington, D.C. 20231

) *Douglas M. Eveleigh*
) Douglas M. Eveleigh

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

RECEIVED

OCT - 3 2002

TC 1700

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT

Sir:

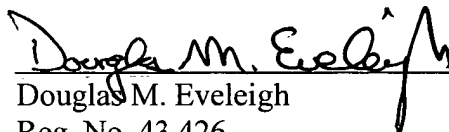
In the Office Action mailed August 27, 2002 (paper no. 6), the Examiner requires restriction under 35 U.S.C. § 121 between the claims of Group I (claims 1-19), Group II (claims 20-42), and Group III (claims 43-52). Applicants believe the restriction requirement is not warranted and therefore respectfully traverse that requirement, as discussed further below. However, in order to further prosecution, Applicants provisionally elect to prosecute Group I, containing claims 1-19, with traverse.

Applicants respectfully submit that the search and examination of Groups I, II and III together can be made without serious burden. Section 803 of the MPEP states that, "[i]f the search and examination of an entire application can be made without serious burden, the

examiner **must** examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that claims 1-52 should be examined together in this application at least in view of Section 803.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 13-0019. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

By: 
Douglas M. Eveleigh
Reg. No. 43,426

MAYER, BROWN, ROWE & MAW
P.O. Box 2828
Chicago, IL 60690-2828
(312) 701-8738

Dated: September 27, 2002